

**ASSEMBLY BILL**

**No. 1130**

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**Introduced by Assembly Member Wilk**

February 22, 2013

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An act to amend Section 12744 of the Insurance Code, relating to insurance.

LEGISLATIVE COUNSEL'S DIGEST

AB 1130, as introduced, Wilk. Insurance: home protection contracts.

Existing law prohibits a person from issuing home protection contracts in this state unless that person holds a home protection company license issued by the Department of Insurance, except as specified.

This bill would make technical, nonsubstantive changes to that provision.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     SECTION 1. Section 12744 of the Insurance Code is amended  
2     to read:  
3     12744. (a) No person shall issue or offer to issue home  
4     protection contracts in this state unless ~~such~~ *that* person ~~holds~~ *has*  
5     ~~been issued~~ a home protection company license issued by the  
6     department, except as provided in subdivision (b) ~~of this section~~.  
7     (b) An insurer admitted for the class of insurance defined in  
8     Section 120 is authorized, in addition to the underwriting powers  
9     granted by ~~such~~ *that* class, to issue home protection contracts, but

1 the provisions of this part shall not be otherwise applicable to ~~such~~  
2 *those* insurers or their contracts.

3 (c) No license shall be granted to a foreign applicant that has  
4 not fulfilled the requirements of Sections 716 and 717. For  
5 purposes of this part, the term “class of insurance” as used in ~~said~~  
6 *those* sections shall mean the business of a home protection  
7 company. This section shall not prohibit the admission of a foreign  
8 home protection company which has actively transacted home  
9 protection business in its state of domicile for three years or more.

10 (d) The commissioner shall by regulation prescribe forms for  
11 applications for home protection company licenses consistent with  
12 the provisions of this part. Any reference to *a* certificate of  
13 authority in Article 3 (commencing with Section 699) of Chapter  
14 1 of Part 2 of Division 1, shall mean *a* home protection company  
15 license.